

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION**

**THOMAS CANNON, JESSE CONNER,)
DONALD KOONS, and NICHOLAS)
TERRELL,)**

Plaintiffs,)

v.)

**VILLAGE OF BALD HEAD ISLAND,)
NORTH CAROLINA, CALVIN R.)
PECK, JR., in his individual capacity,)
and CAROLINE MITCHELL, in her)
individual capacity,)
Defendants.)**

JUDGMENT

No. 7:15-CV-187-H

Decision by Court.

This case came before the Honorable Malcolm J. Howard, Senior United States District Judge for bench trial.

IT IS ORDERED, ADJUDGED AND DECREED relief is granted as to the following claims: 1. Plaintiffs Cannon, Conner, Koons, and Terrell's liberty interest claims against Defendants Peck and Mitchell in their individual capacities on plaintiffs' section 1983 claims for violations of their Due Process Rights under the Fourteenth Amendment. 2. Plaintiffs Cannon, Koons, and Terrell's libel per se claims against Defendants Peck and Mitchell. 3. Plaintiff Conner's libel per se claim against Defendant Mitchell. 4. Plaintiff Conner's libel per quod claim against Defendant Peck.

The following claims are dismissed: 1. Plaintiff Cannon, Conner, Koons, and Terrell's Wrongful Discharge claims against Defendant Village. 2. Plaintiff Conner's Breach of Contract claim against Defendant Village. 3. Plaintiff Cannon, Koons, and Terrell's Libel Per Se Claims against Defendant Village. 4. Plaintiff Conner's Libel Per Quod Claim against Defendant Village.

Based upon Findings of Fact and Conclusions of Law as set out herein, the summary of awards are as follows:

a. Thomas Cannon

i. Liberty Interest Damages: \$80,000

ii. Libel Damages: \$50,000

iii. Punitive Damages: \$50,000

TOTAL: \$180,000

b. Jesse Conner

i. Liberty Interest Damages: \$89,000

ii. Libel Damages: \$50,001

iii. Punitive Damages: \$50,000

TOTAL: \$189,001

c. Donald Koons

i. Liberty Interest Damages: \$46,000

ii. Libel Damages: \$50,000

iii. Punitive Damages: \$50,000

TOTAL: \$146,000

d. Nicholas Terrell

i. Liberty Interest Damages: \$92,000

ii. Libel Damages: \$50,000

iii. Punitive Damages: \$50,000

TOTAL: \$192,000

Plaintiffs are entitled to recover a total of \$707,001 from Defendants Peck and Mitchell as detailed supra. Interest shall accrue at the post-judgment rate applicable on the date of judgment.

This Judgment Filed and Entered on November 30, 2020, with service via CM/ECF Notice of Electronic Filing on:

Samuel B. Potter, Attorney for Plaintiff
Bradley A. Coxe, Attorney for Plaintiff
Dan M. Hartzog, Attorney for Defendant
Norwood Blanchard, III, Attorney for Defendant

DATED: November 30, 2020

PETER A. MOORE, JR., CLERK
By: /s/ Lisa W. Lee
(Deputy Clerk)